

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Hon. Dennis M. Cavanaugh

v.

Crim. No. 07-756 (DRD)

Miguel Hernando Amezcuita-Machado,
Nelson Alejandro Canon-Bastidas,
Jose Pablo Perez-Arias

ORDER FOR CONTINUANCE

This matter having come before the Court upon an indictment filed by Christopher J. Christie, United States Attorney for the District of New Jersey (Robert Frazer, Assistant U.S. Attorney, appearing) and defendants **Miguel Hernando Amezcuita-Machado, Nelson Alejandro Canon-Bastidas, Jose Pablo Perez-Arias** (Ruth Liebesman, Esq., Joseph Rubino, Esq. and Elizabeth Smith, Esq. appearing, respectively) having been charged with a violation of 18 U.S.C. Section 1956(a)(1) and 1956(h), and 21 U.S.C. Section 959 (as to defendants Amezcuita-Machado and Perez-Arias only), application is hereby made for an order granting a continuance of the proceedings in the above-captioned matter from October 8, 2008 through January 8, 2008 to allow the parties to conduct plea negotiations and attempt to finalize a plea agreement, and the defendant being aware that he has the right to have this matter submitted to a trial jury within 70 days of the date of his arraignment pursuant to Title 18, United States Code, Section 3161(c)(1), and the defendant having consented to the continuance and waived such right, and for good cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to negotiate a plea agreement, which would render a trial of this matter unnecessary;

(2) The defendant consents to the continuance;

(3) A co-defendant is awaiting return from Colombia upon the extradition request of the United States; and

(4) Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial.

WHEREFORE, IT IS on this ¹⁴ day of October, 2008,

ORDERED that this action be, and it hereby is, continued from October 8, 2008 through January 5, 2009.

IT IS FURTHER ORDERED that all dates for the parties to file and respond to motions, for the motion hearing and for trial in the court's Order For Discovery and Inspection shall be stayed as follows:

ORDERED that:

1. Defendants shall file pretrial motions on or before **November 21, 2008**;
2. The Government shall respond to such motions on or before **December 12,**
3. The return date for pretrial motions shall be **December 23, 2008** and
5. Trial shall commence on **January 5, 2009** at 10:00 a.m.


2008

IT IS FURTHER ORDERED that the period from October 8, 2008 through January 5, 2009 shall be excludable in computing time under the Speedy Trial Act of 1974.

HONORABLE DENNIS M. CAVANAUGH
UNITED STATES DISTRICT JUDGE

I hereby consent to the form
and entry of this Order

RUTH LIEBESMAN, ESQ.
ATTORNEY FOR DEFENDANT
AMEZQUITA-MACAHO


JOSEPH RUBINO, ESQ.
ATTORNEY FOR DEFENDANT
CANON-BASTIDAS

ELIZABETH SMITH, ESQ.
ATTORNEY FOR DEFENDANT
PEREZ-ARIAS

ROBERT FRAZER, AUSA

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